GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegations of irregularities and misappropriation of cement and steel in P.R. Division, Vizianagaram against Sri Y.Hari, the then AEE – Registered case by ACB – Acquitted by the Spl. Judge for ACB Cases, Visakhapatnam in CC No.14/1996, 28/1998, CC No.29/1998 and CC No.30/1998– Request for filing appeal in APHC against acquittal order – Request rejected - Further action dropped- Suspension period from 15.07.1993 to 19.05.1999 of Sri Y.Hari, DEE, PIU, Pedabayalu, Paderu Division - Treated as "NOT ON DUTY" - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 500 **Dated: 13-08-2019.**

Read the following:-

1. From DG, ACB, Lr.Rc.No.78/RCO-VVZ/93-S.12, Dt.30.09.1995.
2. G.O.Rt.No.302, PR, RD & Relief (Estt.I) Department, Dt.01.03.1996.
3. From DG, ACB, Lr.Rc.No.78/RCO-VVZ/93-S.12, Dt.20.01.1998.
4. G.O.Ms.No.330, PR, RD & Relief (Estt.I) Deptt., Dt.27.07.1998.
5. From DG, ACB, Lr.Rc.No.78/RCO-VVZ/1993-S.12, 09.01.2018 & Dt.13.04.2018.
6. From Sri Y.Hari, AEE, PR(PIU), Paderu, Representation, Dt.Nil.
7. Govt.Memo.No.71/Vig.I/2001, PR&RD (Vig.I) Deptt., Dt.16.08.2018.
8. From Sri Y.Hari, AEE, PR(PIU), Paderu, Representation, Dt.25.10.2018.

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Based on the recommendations of final report of Director General, Anti Corruption Bureau, in the references 1st & 3rd cited, Government have accorded sanction to prosecute the Sri Y.Hari, AEE, inter-alia among (6) others, in a Court of Law, in respect of allegations of irregularities and misappropriation of cement and steel in P.R. Division, Vizianagaram vide references 2nd & 4th cited.

2. Director General, Anti Corruption Bureau, vide reference 5th cited, has informed that III Additional District and Sessions Judge cum Spl. Judge for ACB Cases, Visakhapatnam delivered the judgment on 29.12.2017 in CC No.14/1996, CC No.28/1998, CC No.29/1998 and 30/1998 against Sri Y.Hari, AEE, wherein it is stated that Sri Y.Hari, AEE, is found not guilty of the charges under 13(2) r/w 13(1)(c), 13(1)(d) of the PC Act 1988, 120-B, 409, 407, 467, 471 IPC & 477-A r/w 109 of IPC and the Accused is acquitted U/s 248 (1) Cr.P.C. He has submitted that the bureau is of the opinion that it is a fit case to file Criminal Appeal in the High Court of A.P. against the acquittal Judgement of the Lower Court against the A.O. and requested to communicate the orders to the Bureau to file Criminal Appeal in the High Court of A.P. against Sri Y.Hari, AEE, on the acquittal judgments of the Spl. Judge for ACB Cases, Visakhapatnam.

3. Sri Y. Hari, Assistant Executive Engineer, PR, in the reference 6th cited, has made representation to the Government and requested to drop further action against him.

4. Government, after careful examination of the matter, dropped further action against Sri Y.Hari, AEE, in respect of allegations of

irregularities and misappropriation of cement and steel in P.R. Division, Vizianagaram, vide reference 7th cited.

5. Sri Y.Hari, DEE, PIU, Pedabayalu, Paderu Division, in the reference 8th cited, has submitted that he was suspended from 15.07.1993 to 19.05.1999 on allegations of misappropriation of Cement and Steel in Godown of Vizianagaram division, vide G.O.Rt.No.715, PR&RD (Estt.I) Deptt., Dt.12.07.1993 & G.O.Rt.No.2815, PR&RD (Estt.I) Deptt., Dt.31.12.1998. A case was registered by ACB tried in ACB court and finally he was acquitted by the III rd ADJ Court for ACB Cases on 29.12.2017. Further all charges were dropped against him vide Memo.No.71/Vig.I/2001, Dt.16.08.2018. He has requested to treat his suspension period as duty and regulate the same.

6. After careful examination of the matter, Government, have decided to treat the suspension period from 15.07.1993 to 19.05.1999 of Sri Y.Hari, DEE, PIU, Pedabayalu, Paderu Division, as "NOT ON DUTY" and accordingly hereby order to treat the suspension period from 15.07.1993 to 19.05.1999 of Sri Y.Hari, DEE, PIU, Pedabayalu, Paderu Division, as "NOT ON DUTY" as per FR 54(B) (7) r/w (5). After exhausting of all available leave, the period can be regularized by converting into leave due/ EOL as admissible to him for the purpose of notional increments and pension as per G.O.Ms.No.307, Finance (FR.II) Department, Dt.03.12.2012.

7. Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada, shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

To
The individual through Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
Sf/Sc.

//FORWARDED::BY::ORDER//

SECTION OFFICER